

REMARKS

A First Preliminary Amendment is submitted along with this response providing a sequence listing in accordance with 37 C.F.R. § 1.821, *et seq.* The designation of the relevant sequence containing the identified positions has been inserted into the claims.

Applicants are obtaining a copy of the English translation of the priority document and will submit it as soon as it is available.

Applicants elect to prosecute the invention of Group IV, claims 16-20, drawn to a method for making DDR2 polypeptide by expressing a recombinant DDR2 variant and further elect the species of (F) wherein residue 740 has been mutated. This election is made with traverse.

Respectfully, it is believed that all of the pending claims share the common concept in common that increased autophosphorylation and tyrosine kinase activity can be induced in a protein which contains a DDR2 cytosolic tyrosine kinase domain by effecting certain mutations or increased phosphorylation at specific residues in the activation loop. Claims 1-3 claim the protein itself while claims 4-20 are directed to alternative methods for producing it. In all cases, the relevant search will be the same since in all cases the same residues of the activation loop are modified. Therefore, no undue search burden would be placed on the Office by examining claims 1-20 in the application. Since claim 21 is now dependent on claim 1 and would be rejoined in the event claim 1 is allowed, applicants believe, claim 21 has not been canceled.

Reconsideration of the requirement for restriction among Groups I-IV is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any

required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 300602005700.

Respectfully submitted,

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